

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

Bob Kasolas, Esq.
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Attorneys for Defendants Sergio Magarik, Vonn, LLC, Lenny Valdborg, Vigo
Industries, LLC and Nigel Challenger

KRAUS USA, INC.

Plaintiff,

vs.

**SERGIO MAGARIK, a/k/a SERGEI
MAGARIK, VONN, LLC, a/k/a VONN
LIGHTING, LLC, d/b/a VONN LIGHTING,
LENNY VALDBERG (improperly pled as
LEONID VALDBERG), VIGO
INDUSTRIES, LLC and NIGEL
CHALLENGER,**

Defendants.

CIVIL ACTION NO: 1:17-cv-6541

**NOTICE OF MOTION BY ALL
DEFENDANTS FOR JUDGMENT ON
THE PLEADINGS & TO DISMISS
COMPLAINT PURSUANT TO
RULE 12(c)**

**TO: Ely Goldin, Esq,
Fox Rothschild LLP
2000 Market Street, 20th Floor
Philadelphia, PA 19103**

PLEASE TAKE NOTICE that pursuant to Rule 12(c) of the Federal Rules of Civil Procedure, defendants Sergio Magarik (“Magarik”), Vonn, LLC (“Vonn”), Vigo Industries, LLC (“Vigo”), Lenny Valdborg (“Valdborg”) and Nigel Challenger (“Challenger”) shall move before the United States District Court, Southern District of New York, Hon. Edgardo Ramos, for an Order: (i) dismissing all counts of the Complaint asserted against all defendants in their entirety with prejudice; and (ii) entering judgment on the pleadings in favor of all defendants and against Kraus USA, Inc. (“Kraus”) as to Kraus’ Complaint;

PLEASE TAKE FURTHER ORDER that in support of defendants' motion, defendants shall rely upon the accompanying Memorandum of Law in support of their motion; and

PLEASE TAKE FURTHER NOTICE that oral argument is requested in the event this motion is opposed.

BRACH EICHLER LLC
Attorneys for Defendants

/s/ Eric Magnelli, Esq.

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